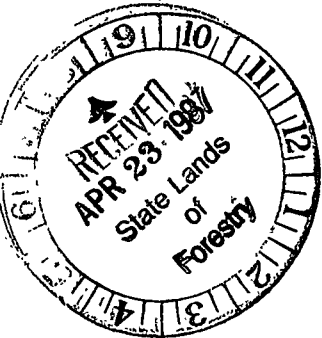


File No. 01053/006
Date: 5/31



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES AND ENERGY
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

DECLARATION OF EXEMPTION

(See Mined Land Reclamation Act 40-8-4[6].)

As provided for in Section 40-8-4, UCA 1953, I hereby declare an exemption from the "Utah Mined Land Reclamation Act," in that less than 500 tons of material is being mined or less than two (2) acres of land is being excavated or used as a disposal site during a period of twelve (12) consecutive months, from the following designated claims, leases or fee acreage.

NAME OF CLAIM, LEASE OR FEE ACREAGE	LOCATION			
	1/4, 1/4 SECTION	TOWNSHIP	RANGE	COUNTY
ML 43392 clay	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5	42S.	14W.	Wash.

Commodity: Clay

Date: _____ Signature: _____

OPERATOR: 5M, INCORPORATED and
ASH CREEK SPECIAL SERVICES DISTRICT

ADDRESS: 430 West State Street 72-5 Hurricane, Utah 84737

TELEPHONE: 635-2958

*This form needs to be filed one time only. In the event more than the minimum size requirements are to be mined, a Notice of Intention to Commence Mining Operations and Mining and Reclamation Plan (MR Form 1) will need to be filed with this office, at least 90 days prior to the anticipated expansion.